

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012- -T

| | | |
|--|---|--------------------------|
| IN RE: Petition of the Office of Regulatory Staff to |) | |
| Rescind the Order of the Public Service |) | MOTION TO RESCIND |
| Commission Granting a Class C Non- |) | COMMISSION |
| Emergency Certificate of Public Convenience |) | ORDERS |
| And Necessity to Certain Motor Carriers For |) | |
| Failure to Comply with Their Commission |) | |
| Order |) | |

The South Carolina Office of Regulatory Staff ("ORS") hereby moves and requests that the Public Service Commission of South Carolina ("Commission") Rescind its Orders granting Class C Non-Emergency Certificates to Motor Carriers listed in Attachment A to this Motion (see Affidavit of Carole Chauvin).

As stated in the Orders, the Commission ruled that All Companies ("Applicants"), also referenced in Attachment A, were to file or cause to have filed with ORS within sixty (60) days of the Order "the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2011) of the Commission's Rules and Regulations for Motor Carriers...."

In support of this Motion, ORS would respectfully show:

1. That as of August 23, 2012, ORS has not yet received from the Applicants the proof of insurance as required by 26 S.C. Code Ann. Regs. 103-171, the License Decal

JP-10

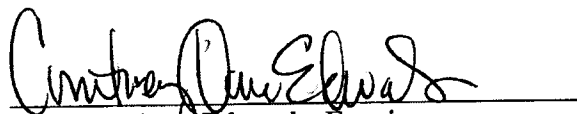
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Application Form and appropriate license decal fee as required by 26 S.C. Code Ann. Regs. 103-151 (1), the records inspection as required by 26 S.C. Code Ann. Regs. 103-133 (7), and the vehicle(s) inspection as required by 26 S.C. Code Ann. Regs. 103-150, see Attachment A.

2. That as a result of the Applicants failure to provide ORS with the Form E, the appropriate License Decal Application Form and decal fee, the records inspection, and the vehicle(s) inspection, the Applicants have failed to comply with the conditions set forth in the Commission Order, and have therefore not been issued a Certificate of Public Convenience and Necessity.

WHEREFORE, ORS moves and requests that the Commission grant this Motion to Rescind the Order Numbers listed in Attachment A based on the Applicants failure to comply with the terms and conditions of the Orders. Further, ORS requests that subsequent to the issuance of the Commission Order in this matter that these Dockets be closed.

SOUTH CAROLINA OFFICE OF REGULATORY STAFF



Courtney Dare Edwards, Esquire

OFFICE OF REGULATORY STAFF

1401 Main Street, Suite 900

Columbia, SC 29201

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Fax: (803) 737-0895

Email: cedwards@regstaff.sc.gov

August 27, 2012
Columbia, South Carolina

ATTACHMENT A

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

August 23, 2012

IN RE: Applications for Class C Non-Emergency
Certificates of Public Convenience and Necessity of
Certain Motor Carriers

Affidavit of
Carole Chauvin

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On August 23, 2012, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171, the License Decal Application Form and appropriate license decal fee as required by 26 S.C. Code Regs 103-151 (1) and the records inspection as required by 26 S.C. Code Regs 103-133 (7) and the vehicle(s) inspection as required by 26 S.C. Code Regs 103-150 has not been filed with ORS by the following companies as of August 23, 2012:

Lakeyshia White DBA S and J Medical Transport
550 West Darlington Street Apt 107
Florence, SC 29501
Docket No. 2011-359-T
Order No. 2011-681
Date of Order: 9/29/2011

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| <p> Bill Douthat DBA Unicare Transport Services 164 Market Street Suite 352 Charleston, SC 29401 Docket No. 2011-391-T Order No. 2011-726 Date of Order: 10/4/2011 </p> | 238617 |
| <p> Delores Williams DBA EMT 1138 Hollings Avenue Florence, S.C. 29506 Docket No. 2011-376-T Order No. 2011-720 Date of Order: 10/5/2011 </p> | 238618 |
| <p> Cecil C. Jones DBA C & C Transport PO Box 322 Scranton, SC 29591 Docket No. 2011-522-T Order No. 2012-23 Date of Order: 1/19/2012 </p> | 238619 |
| <p> Herbert's Wheelchair Transportation, LLC 2211 Weepoolow Trail Charleston, SC 29407 Docket No. 2011-441-T Order No. 2011-802 – Granted Non Emergency Authority Date of Order: 11/16/2011 </p> | 238620 |
| <p> Herbert's Medical Transportation, LLC 2211 Weepoolow Trail Charleston, SC 29407 Docket No. 2011-441-T Order No. 2012-26 – Approved name change and amended application Date of Order: 1/19/2012 </p> | 238621 |
| <p> Richard Walker DBA Heritage Healthcare Transportation 5 Genek Court Freehold, N.J. 07728 Docket No. 2012-14-T Order No. 2012-42 Date of Order: 1/24/2012 </p> | 238622 |

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| Elizabeth Brayboy DBA Wings of Eagles Transportation & Courier Services 3329 Whippoorwill Rd Effingham, SC 29541 Docket No. 2012-28-T Order No. 2012-56 Date of Order: 1/31/2012 | 238623 |
| Kristen Allen DBA Carolina Medical Transport 4150 Upper Cove Rd Rock Hill, SC 29732 Docket No. 2012-42-T Order No. 2012-100 Date of Order: 2/27/2012 | 238624 |
| Marvin Duggins DBA Early Bird Transportation 3403 Whippoorwill Rd Effingham, SC 29541 Docket No. 2012-68-T Order No. 2012-139 Date of Order: 2/28/2012 | 238625 |
| Dr. Juanita Bowens DBA Nu-treat Transport 98 Westfern Ct Columbia, SC 29212 Docket No. 2012-85-T Order No. 2012-180 Date of Order: 3/13/2012 | 238626 |
| Specialty Transportation, LLC 4322 Brown Bear Lane Little River, SC 29566 Docket No. 2012-104-T Order No. 2012-220 Date of Order: 4/3/2012 | 238627 |
| Jerry Cannon DBA Logistics PO Box 1102 Darlington, SC 29540-1102 Docket No. 2012-47-T Order No. 2012-106 Date of Order: 2/27/2012 | 238628 |

Shaw Cab Transportation, LLC
35 Grier St
Sumter, SC 29150
Docket No. 2012-99-T
Order No. 2012-191
Date of Order: 3/13/2012

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AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201

Sworn and subscribed before me
this 23rd day of August, 20 12


J. B. Smith
Notary Public for South Carolina
My Commission Expires: 2/10/20

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
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| IN RE: | Petition of the Office of Regulatory Staff to |) | |
| | Rescind the Order of the Public Service |) | |
| | Commission Granting a Class C Non- |) | CERTIFICATE OF |
| | Emergency Certificate of Public Convenience |) | SERVICE |
| | And Necessity to Certain Motor Carriers For |) | |
| | Failure to Comply with Their Commission |) | |
| | Order |) | |

This is to certify that I, Faith E. Shehane, have this date served one (1) copy of the **MOTION TO RESCIND COMMISSION ORDERS** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[SEE NEXT PAGE FOR LIST OF PARTIES SERVED]



Faith E. Shehane

August 27, 2012
Columbia, South Carolina

Lakeysha White
d/b/a S & J Medical Transport
550 West Darlington Street, Apt. 107
Florence, SC 29501

Bill Douthat
d/b/a Unicare Transport Services
164 Market Street, Suite 352
Charleston, SC 29401

Delores Williams
d/b/a EMT
1138 Hollings Avenue
Florence, SC 29506

Cecil C. Jones
d/b/a C & C Transport
PO Box 322
Scranton, SC 29591

Herbert's Wheelchair Transportation, LLC
2211 Weepoolow Trail
Charleston, SC 29407

Herbert's Medical Transportation, LLC
2211 Weepoolow Trail
Charleston, SC 29407

Richard Walker
d/b/a Heritage Healthcare Transportation
5 Genek Court
Freehold, N.J. 07728

Elizabeth Brayboy
d/b/a Wings of Eagles Transportation
& Courier Services
3329 Whippoorwill Rd.
Effingham, SC 29541

Kristen Allen
d/b/a Carolina Medical Transport
4150 Upper Cove Rd.
Rock Hill, SC 29732

Marvin Duggins
d/b/a Early Bird Transportation
3403 Whippoorwill Rd.
Effingham, SC 29541

Dr. Juanita Bowens
d/b/a Nu-treat Transport
98 Westfern Ct.
Columbia, SC 29212

Specialty Transportation, LLC
4322 Brown Bear Lane
Little River, SC 29566

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PO Box 1102
Darlington, SC 29540-1102

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Sumter, SC 29150